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Folder: Smart, Pamela

Source: Derry News

Item:

Date: 12-19-1990

Dec. 19 1990

Smart's lawyers file to bar secret tape

By FRANCI A. RICHARDSON
Derry News Staff

A motion to suppress evidence against a 23-year old Derry widow accused of helping plan the death of her husband will be heard Jan. 17 at the Rockingham Superior Court in Exeter.

Superior Court Judge Douglas Gray, who made the decision in August to keep Pamela Smart in jail without bail, will hear her attorneys' plea to suppress evidence contained in what prosecutors call an incriminating tape-recorded conversation between the defendant and her 16

SMART, Page 3

mart's lawyers hope to bar ecret tape from murder trial

MART
ntinued from page 1

ar-old co-worker, Cecelia erce.

ccording to prosecutors the retly taped conversation was de willingly by Pierce when went to Smart's office at ool Administrative Unit 21, ere she worked as media di- tor of the Hampton school trict.

The state's position is going e that Cecelia Pierce's coop- tion was voluntary and the rt should deny the motion," d Assistant Attorney General ne Nicolosi.

Both Nicolosi and Assistant Attorney General Cynthia White were originally assigned to prosecute the case on behalf of the state, but Assistant Attorney General Paul Maggiotti has been assigned to take White's place because of her early-year court schedule, said Nicolosi.

Smart's attorneys, Paul Twomey and Mark Sisti of Chichester, have filed four other motions, raising questions against the state's evidence. A date to hear those motions has yet to be scheduled, according to a clerk at the court.